Representation of Muslims in the South Arcot District Board.

*1433 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether it is a fact that whereas the Muslim community is represented by only two members the Christian community is represented by three members (inclusive of a lady) in the District Board of South Arcot?

A.—The members referred to are two Muhammadans, two Europeans and one Indian Christian lady.

Mr. ABDUL HAMEED KHAN:—"May I know the basis on which two Europeans have been nominated while there is only one Muhammadan nominated?"

The hon. Dr. P. SUBBARAYAN:—"There is already one Muhammadan elected and one Muhammadan nominated."

Mr. ABDUL HAMEED KHAN:—"May I know the basis on which these nominations are made, i.e., why two Europeans have been nominated? Is it on the basis of population?"

The hon. Dr. P. SUBBARAYAN:—"It is on the basis of their interest in the district."

Mr. BASHEER AHMAD SAYEED:—"Is the hon. Minister sure that one of the two Muhammadans is a nominated member?"

The hon. Dr. P. SUBBARAYAN:—"I am not quite certain of the fact."

Amendment of the Local Boards and Village Panchayats Acts.

*1434 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the conclusions of the conference held on 12th December 1928 and the following days under his presidency on the various subjects that he placed before it regarding amendments to Local Boards and Village Panchayats Acts;

(b) which of them the Government have accepted; and

(c) whether the Government propose to introduce Bills amending Local Boards and Village Panchayats Acts, 1920, and if so, when?

A.—(a) The conference arrived at the following conclusions:—

(1) The Local Boards Act should be so amended as to bring village panchayats within its ambit and make them the unit of local self-government;

(2) There should be a body for a suitable area to co-ordinate the work of panchayats and to carry on the functions of panchayats where panchayats do not exist;

(3) There should be three local bodies in each district, the panchayat, the taluk board or union of panchayats (the name to be decided later on) which will be the body referred to in (2) and the district board;

[25th February 1929

(4) The functions of local boards should be divided as follows :—

Panchayats.	Taluk board or union of panchayats.	District board.
Elementary schools up to the higher elementary classes, village libraries, village roads, village sanitation, village fairs and festivals, water-supply.	Higher elementary schools, Central schools, Central library, main lines of communication connecting villages not of district importance, markets, minor railway feeder roads, vaccination, rural dispensaries, important fairs and festivals, water-supply, supervision of panchayats.	Trunk roads and other important roads, tolls, buses, secondary education, public health, railway feeder roads and dispensaries (all medical aid not given by the village panchayat), protected water-supply.

(5) In panchayats—
(*a*) every adult in the village should be entitled to vote at panchayat elections ;
(*b*) the strength of the panchayat should not be less than 7 and not more than 15 ;
(*c*) all the members should be elected ; and
(*d*) adequate representation of communities should be left to be provided for by rules.

(6) As regards taluk board or union of panchayats—
(*a*) the strength of the board may be as at present, viz., 12 to 24 ;
(*b*) not more than one-fourth of the members should be elected by the panchayats from among themselves ; the remaining three-fourths should be left to direct election ;
(*c*) all those who pay tax either to the local board, Government or municipality should form the electorate ;
(*d*) elections should be held once in five years ; and
(*e*) the means by which communal representation is to be secured should be provided for by rules to be made by the Local Government and placed before the Legislative Council for approval.

(7) District boards—
(*a*) Taluk boards should be represented on district boards only by the presidents of taluk boards ;
(*b*) the electorate for the district board should be the same as that for the taluk board ;
(*c*) the number of supernumerary members on each district board should not exceed two, one of whom should be an official ;
(*d*) the official supernumerary member should not exercise his vote in the election of the president, district board ;

(e) panchayats should return two members from among panchayat members to the district board;

(f) the office of president, district board, should be filled by election. The Government should not reserve power to nominate the president except in the case of abolition of the board and even then only temporarily;

(g) any president, district board, on being elected to the Legislative Council should cease to hold office as president;

(h) an independent body outside the board such as a set of election Commissioners chosen from a panel of members elected by district boards should conduct elections; provision for this should be made by means of rules to be laid on the table of the Legislative Council the first set of rules being embodied in the Act itself, liable to be changed from time to time;

(i) the new provision in the Bill for the appointment of standing committees and executive officers should be deleted; and

(j) a definition of the term 'official' similar to the one in section 134 (7) of the Government of India Act should be inserted and the reference to the village headman in Chapter IV of the Act should be omitted;

(8) New section 74-A should be so amended as to enable Government to provincialize only the posts of such officers as a majority of the district boards may require to be provincialized.

(9) The power of the president under section 131 of the existing Act to inspect any place in which any dangerous disease is reported or suspected to exist should be extended to the health officer also.

(10) The procedure to be adopted in case of non-payment of cart-stand fees should be introduced in the Act as has been done in section 107 (3) of the Act in respect of toll. Section 224 should also be so amended as to empower a magistrate to interfere.

(11) New section 234 should be so amended as to provide that the decision of the arbitrator or joint committee should be reported to Government who should pass final orders.

(12) A rule similar to rule 12-A of the Madras Legislative Council rules should be framed for the discussion of no-confidence motions on presidents. It may be provided that leave for the motion can be granted on the vote of one-third of the total strength of the Board. A date should be fixed for the discussion of the motion, within fifteen days. If there is a two-thirds majority for the motion, the president should resign. If the majority is less than two-thirds it should be open to Government to remove the president in order to prevent deadlocks in administration.

[25th February 1929

(*b*) & (*c*) A draft Bill to amend the Madras Local Boards Act with reference to these conclusions is under preparation and it will be introduced when ready. The question whether the Village Panchayats Act should be repealed or revised will be decided when the provisions of the Local Boards Act are settled.

Mr. J. A. SALDANHA :—" With reference to the answers to clauses (*b*) and (*c*) of this question, may I enquire when the Bill which is being drafted will be introduced ? "

The hon. Dr. P. SUBBARAYAN :—" I cannot say."

Mr. J. A. SALDANHA :—" Approximately in how many months, Sir ? "

The hon. Dr. P. SUBBARAYAN :—" Perhaps in July, Sir."

Mr. A. KALESWARA RAO :—" May I ask whether the Government or the Minister have accepted the recommendations of the conference and are drafting the Bill on that basis ? "

The hon. Dr. P. SUBBARAYAN :—" The Bill is being drafted with some amendments and not exactly on the lines of the recommendations of the conference."

Application of the Government Order regarding public service qualifications to local bodies.

* 1435-A Q.—Mr. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) whether a Government Order has been issued recently regarding the employment of unqualified men by local bodies and if so, whether a copy of it will be placed on the Council table ;

(*b*) whether some chairmen and local board presidents have construed the Government Order to be applicable to all their office subordinates and applied to the Government for exemptions even in respect of posts for which no qualifications have been prescribed and whether the Government Order is intended to apply to the holders of such posts ; and

(*c*) whether the Government propose to issue a fresh Government Order making their intention clear on the point ?

A.—(*a*) A copy of [a] G.O. No. 3947, L. & M., dated 1st October 1928, regarding the employment of unqualified men by local bodies is laid on the table.

(*b*) Yes. The Government Order will obviously not apply to posts under local bodies in respect of which no qualifications have been prescribed by Government.

(*c*) The Government consider that G.O. No. 3947, L. & M., dated 1st October 1928, requires no elucidation.

Application of the Government Order regarding public service qualifications to local bodies.

* 1435-B Q.—Mr. A. PARASURAMA RAO : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) whether G.O. No. 3947, L. & M., dated 1st October 1928, was issued to all local bodies enjoining them not to employ or continue in their service any persons who are not qualified according to the rules relating to public service ;

[a] Printed as Appendix IV on page 107 infra.